

Summary of 2022 legislation related to behavioral health

Custody and alternative transportation

PASSED

SB 202 Alternative custody arrangements; options to increase use for certain individuals.

Chief patron: Newman

Directs the Secretary of Health and Human Resources, together with the Secretary of Public Safety and Homeland Security, to study options to increase the use of alternative custody arrangements for individuals who are subject to an emergency custody or temporary detention order and to report his findings and recommendations to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Education and Health and Finance and Appropriations by October 1, 2022.

SB 268 Emergency custody and temporary detention; transportation, transfer of custody, alternative custody.

Chief patron: Favola

Provides that when a magistrate orders alternative transportation for an individual under a temporary detention order, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order. Such alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the temporary detention facility, as is appropriate. The bill adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers. The bill clarifies that if no alternative transportation provider is available, the magistrate shall order a person to be kept in law-enforcement custody. The bill also requires the Department of Behavioral Health and Developmental Services to amend an existing

contract or enter into a new contract for alternative custody of persons who are subject to temporary detention orders, to the extent funding for such alternative custody is available.

[SB 593](#) Emergency custody or temporary detention order; custody and transportation of persons, etc.

Chief patron: Newman

Allows auxiliary police officers to provide transportation for a person subject to an emergency custody or temporary detention order. The bill also directs the Department of Criminal Justice Services to establish compulsory minimum training standards for auxiliary police officers who are called into service solely for the purpose of providing transportation for such person subject to an emergency custody order or providing transportation for a person in the temporary detention process.

FAILED

[HB 135](#) Emergency custody and temporary detention; transportation of person when transfer of custody.

Chief patron: Cherry

Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill also adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers.

HB 159 Emergency custody and temporary detention orders; transportation of minor, acceptance of custody.

Chief patron: Byron

Requires a facility or location to which a minor or adult who is subject to an emergency custody or temporary detention order is transported to accept custody of the minor or adult upon completion of transportation and arrival of the minor or adult at the facility and specifies that the primary law-enforcement agency shall provide transportation of a person who is involved in the involuntary commitment process, rather than a sheriff, as provided under current law.

HB 163 Emergency custody and temporary detention; governing transportation & custody of minors and adults.

Chief patron: Ransone

Amends numerous sections governing emergency custody and temporary detention of minors and adults to clarify duties of law-enforcement agencies and mental health facilities with regard to custody. The bill requires facilities to take custody of a minor or person who is the subject of an emergency custody order or temporary detention order immediately upon completion of transportation and arrival of the minor or person at the facility; specifies that if a facility does not take custody of a minor or person immediately upon completion of transportation and arrival at the facility, the order is void and the minor or person shall be released; provides that emergency custody orders shall not be extended; and makes other changes to clarify the role and obligations of law enforcement in the emergency custody and temporary detention process.

HB 1147 Temporary detention; alternative custody.

Chief patron: Bell

Provides that if the facility indicated on a temporary detention order is a state facility, no bed for the person detained or in custody pursuant to the temporary detention order is immediately available at such state facility, and an employee or designee of such state facility is available to take custody of such person, such employee or designee of the state facility may assume custody of such person wherever such person is located and maintain custody of such person and transport such person to such state facility or to an alternative facility of temporary

detention. The bill also provides that a person who is an inmate who is subject to an order authorizing treatment shall remain in law-enforcement custody at all times prior to admission to the facility designated for treatment of the person pursuant to such order.

SB 373 Emergency custody; magistrate may extend custody order, medical testing, observation, or treatment.

Chief patron: Deeds

Provides that a magistrate may, upon the sworn petition of the Commissioner of Behavioral Health and Developmental Services or his designee, issue an order extending an emergency custody order for a period of up to 48 hours upon finding that probable cause exists to believe that the behaviors upon which a finding that the person meets the criteria for emergency custody are the result of a medical or physical condition, including substance intoxication or withdrawal, and that the medical standard of care for such medical or physical condition calls for testing, observation, or treatment to prevent harm to the person resulting from such medical or physical condition. Upon issuance of an order extending the period of emergency custody, the person shall be transported to and detained in an appropriate medical care facility for testing, observation, and treatment.

Criminal justice

PASSED

HB 738, SB 691 Competency to stand trial; order for evaluation or treatment.

Chief House patron: Bell

Chief Senate patron: Mason

Provides that whenever a court orders an evaluation of a defendant's competency to stand trial, the clerk of the court shall provide a copy of the order to the Department of Behavioral Health and Developmental Services.

SB 198 Disposition when defendant found incompetent; involuntary admission of the defendant.

Chief patron: Mason

Provides that in cases where the defendant has been charged with a misdemeanor larceny-related offense or a misdemeanor offense for trespassing, destruction of property, intoxication in public, disorderly conduct, or failure to appear and is found to be incompetent following a competency evaluation, the competency report may recommend that the court direct the community services board or behavioral health authority to (i) conduct an evaluation to determine whether the defendant meets the criteria for temporary detention and (ii) upon determining that the defendant does meet the criteria for temporary detention, file a petition for issuance of an order for temporary detention of the defendant. Similarly, the bill provides that, in cases in which a defendant has been charged with one of the listed misdemeanors, is found to be incompetent, and the competency report recommends that the defendant be temporarily detained, the court may dismiss the charges without prejudice and, in lieu of ordering that the defendant receive treatment to restore his competency, order the community services board or behavioral health authority to conduct an evaluation of the defendant and if the board or authority determines that the defendant meets the criteria for temporary detention, file a petition for issuance of an order for temporary detention. The bill provides that the court shall not dismiss such charges and enter such order if the attorney for the Commonwealth is involved in the prosecution of the case and does not concur in the motion. Under current law, the court is required to order that the defendant receive treatment to restore his competency. The bill also clarifies the process following the completion of the competency evaluation of a defendant. The bill has an expiration date of July 1, 2023.

SB 295 Behavioral health dockets; responsibilities of local pretrial services officers.

Chief patron: Deeds

Provides that a local pretrial services officer may facilitate the referral to screening for a defendant to be placed in a behavioral health docket as a treatment service.

FAILED

HB 613 Arrest/prosecution of individual experiencing mental health emerg.; assault against law enforcement.

Chief patron: Bourne

Provides that no individual shall be subject to arrest or prosecution for an assault or assault and battery against a law-enforcement officer if at the time of the assault or assault and

battery (i) the individual (a) is experiencing a mental health emergency or (b) meets the criteria for issuance of an emergency custody order and (ii) the law-enforcement officer subject to the assault or assault and battery was responding to a call for service requesting assistance for such individual. The bill provides that no law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution.

SB 453 Assault and battery; persons diagnosed with autism spectrum disorder, intellectual disability, etc.

Chief patron: Boysko

Provides that any person charged with a simple assault and battery offense who has been diagnosed by a psychiatrist or clinical psychologist with an autism spectrum disorder, an intellectual disability, or serious mental illness and the violation was caused by or had a direct and substantial relationship to the person's disorder or disability shall not be subject to mandatory minimum punishment. Under current law, certain simple assault and battery offenses carry a mandatory minimum punishment when such offenses are committed against certain groups of people.

HB 794 Criminal proceedings; evidence of defendant's mental condition.

Chief patron: Ballard

Repeals provisions permitting the admission of evidence by the defendant concerning a defendant's mental condition at the time of an alleged offense, including expert testimony, if such evidence is relevant, is not evidence concerning an ultimate issue of fact, and (i) tends to show the defendant did or did not have the intent required for the offense charged and (ii) is otherwise admissible pursuant to the general rules of evidence. The bill also removes provisions permitting a court to issue an emergency custody order in cases where such evidence was admitted and repeals provisions requiring the Office of the Executive Secretary of the Supreme Court to collect data regarding the cases that use such evidence.

SB 573 Defendants; evidence of mental condition, specific intent crimes.

Chief patron: McDougale

Clarifies that a defendant may offer evidence concerning the defendant's mental condition at the time of the alleged offense in certain circumstances for specific intent offenses only.

HB 1341 Local correctional facilities, etc.; transfer of individuals in need of behavioral health services.

Chief patron: Brewer

Requires the State Board of Local and Regional Jails (the Board) to establish minimum standards for identification and care of individuals with developmental disabilities in local correctional facilities and procedures for enforcing such minimum standards, including requirements for (i) developmental disabilities screening of individuals committed to local correctional facilities, (ii) referral of individuals committed to local correctional facilities for whom a screening indicates reason to believe the individual may have a developmental disability to an appropriate provider for an assessment to determine whether the individual has a developmental disability and is in need of developmental services, and (iii) transfer of an individual determined to have a developmental disability and to be in need of developmental services from a local correctional facility to a facility at which appropriate developmental services are provided within 72 hours of completion of the assessment. The bill also requires the Board to amend standards governing the delivery of behavioral health services in local correctional facilities and lock-ups to provide that if an individual is assessed as being in need of behavioral health services for severe mental illness, such individual shall be transferred from the local correctional facility or lock-up to a behavioral health facility within 72 hours of the assessment. Currently, standards governing behavioral health services in local correctional facilities and lock-ups require that if a person is assessed as being in need of behavioral health services, the local correctional facility or lock-up shall provide such services.

The bill also provides that the local community services board or behavioral health authority shall arrange for the admission of a person determined to be in need of behavioral health services for severe mental illness or severe developmental disability within 72 hours of receipt of notification by the local correctional facility of the need for such admission.

HB 147 Local correctional facilities and lock-ups; minimum standards.

Chief patron: Wiley

Requires the State Board of Local and Regional Jails (the Board) to establish minimum standards for identification and care of individuals with developmental disabilities in local correctional facilities and procedures for enforcing such minimum standards, including requirements for (i) screening of individuals committed to local correctional facilities for developmental disabilities, (ii) referral of individuals committed to local correctional facilities for whom a screening indicates reason to believe the person may have a developmental disability to an appropriate provider for an assessment to determine whether the individual has a developmental disability and is in need of developmental services, and (iii) transfer of an individual determined to have a developmental disability and to be in need of developmental services from a local correctional facility to a facility at which appropriate developmental services are provided within 72 hours of completion of the assessment. The bill also requires the Board to amend standards governing the delivery of behavioral health services in local correctional facilities and lock-ups to provide that if an individual is assessed as being in need of behavioral health services, such individual shall be transferred from the local correctional facility or lock-up to a behavioral health facility within 72 hours of the assessment. Currently, standards governing behavioral health services in local correctional facilities and lock-ups require that if a person is assessed as being in need of behavioral health services, the local correctional facility or lock-up shall provide such services.

Public safety

PASSED

HB 1191, SB 361 Marcus alert system; participation in the system is optional for localities, etc.

Chief House patron: Ransone

Chief Senate patron: Stuart

Extends the date by which localities shall establish voluntary databases to be made available to the 9-1-1 alert system and the Marcus alert system to provide relevant mental health information and emergency contact information for appropriate response to an emergency or crisis from July 1, 2021, to July 1, 2023, and provides an exemption to the requirement that localities establish protocols for local law-enforcement agencies to enter into memorandums of agreement with mobile crisis response providers regarding requests for law-enforcement back-up during mobile crisis or community care team response and minimum standards, best practices, and a system for the review and approval of protocols for law-enforcement participation in the Marcus alert system for localities with a population that is less than or

equal to 40,000, so that localities with a population that is less than or equal to 40,000 may but are not required to establish such protocols. The bill also requires the Department of Behavioral Health and Developmental Services to include in its annual report to the Governor and the Chairmen of the House Committees for Courts of Justice and on Health, Welfare and Institutions, the Senate Committees on the Judiciary and Education and Health, and the Behavioral Health Commission information regarding barriers to establishment of local Marcus alert programs and community care or mobile crisis teams to provide mobile crisis response in geographical areas served by community services boards or behavioral health agencies in which such programs and teams have not been established and a plan for addressing such barriers.

HB 1060, SB 49 Critically missing adult; expands definition, receipt of reports.

Chief House patron: Cordoza

Chief Senate patron: Favola

Expands the definition of "critically missing adult" to include any missing adult, including an adult who has a developmental disability, intellectual disability, or mental illness, 18 years of age or older for the purpose of receipt of critically missing adult reports by a police or sheriff's department and the Virginia Critically Missing Adult Alert Program administered by the Department of State Police and removes from the Program the eligibility requirement that the adult is believed to have been abducted.

System and services

PASSED

HB 388 State facilities; video visitation.

Chief patron: Willett

Requires the director of every state facility to establish a process to facilitate virtual visitation through the use of audio and video equipment for individuals receiving services at the state facility.

HB 1203 Suicide Prevention Coordinator; position created in the D.V.S., report.

Chief patron: Tata

Establishes the position of Suicide Prevention Coordinator (the Coordinator) in the Department of Veterans Services to support and closely coordinate effective mental health care services for military service members and veterans and their families. The bill directs the Commissioner of the Department of Veterans Services to report on the work of the Coordinator in the annual report to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly.

HB 537 Telemedicine; out-of-state providers, behavioral health services provided by practitioner.

Chief patron: Batten

Allows certain practitioners of professions regulated by the Boards of Medicine, Counseling, Psychology, and Social Work who provide behavioral health services and who are licensed in another state, the District of Columbia, or a United States territory or possession and in good standing with the applicable regulatory agency to engage in the practice of that profession in the Commonwealth with a patient located in the Commonwealth when (i) such practice is for the purpose of providing continuity of care through the use of telemedicine services and (ii) the practitioner has previously established a practitioner-patient relationship with the patient. The bill provides that a practitioner who provides behavioral health services to a patient located in the Commonwealth through use of telemedicine services may provide such services for a period of no more than one year from the date on which the practitioner began providing such services to such patient.

HB 684, SB 119 Involuntary temporary detention; disclosure of health records.

Chief House patron: Hope

Chief Senate patron: Hanger

Provides that in any case in which a person subject to an evaluation to determine whether such person meets the criteria for an involuntary temporary detention order is receiving services in a hospital emergency department, the treating physician or his designee and the employee or designee of the local community services board shall disclose to each other relevant information pertaining to the individual's treatment in the emergency department.

FAILED

HB 105 Catawba Hospital; DGS to study feasibility of transforming into subst. abuse/mental health trtmt.

Chief patron: Rasoul

Directs the Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, to study the feasibility of transforming Catawba Hospital into a state-of-the-art facility at which a continuum of substance abuse treatment and recovery services is provided in addition to the array of behavioral health and other services currently provided to geriatric individuals in need of mental health care. The Department of General Services shall report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations and the House Committees on Appropriations and Health, Welfare and Institutions by December 1, 2022.

HB 318 Peer Recovery Support Fund; established.

Chief patron: Freitas

Establishes the Peer Recovery Support Fund (the Fund) to provide payment for the cost of peer-to-peer substance abuse recovery support services provided by individuals other than state or local government employees. The bill requires that 10 percent of the net profits of the Virginia Cannabis Control Authority derived from the sale of marijuana be appropriated to the Fund in the general appropriation act. The bill also directs the Board of Behavioral Health and Developmental Services to develop regulations setting forth criteria for payments for peer-to-peer substance abuse recovery support services provided by individuals other than state or local government employees from the Fund.

HB 743 Certificate of public need; conditions related to inpatient psychiatric services and facilities.

Chief patron: Bell

Requires the Commissioner of Health (the Commissioner) to impose conditions related to the provision of care to individuals who are the subject of a temporary detention order on certificates of public need for projects involving inpatient psychiatric services and facilities and provides that when determining the public need for a proposed project involving an inpatient psychiatric service or facility, the Commissioner shall not take into consideration existing inpatient psychiatric services or facilities or the impact of approving the application and issuing the certificate of public need for the proposed project on an existing inpatient psychiatric service or facility if the existing inpatient psychiatric service or facility does not provide an adequate amount of service to individuals who are subject to a temporary detention order, as determined by the Commissioner in accordance with regulations of the Board of Health (the Board). The bill directs the Board to adopt regulations establishing a process by which the Commissioner shall annually establish the amount of services for individuals who are subject to a temporary detention order that an existing inpatient psychiatric service or facility must provide.

SB 750 Behavioral Health Hospital Authority; created, report.

Chief patron: Dunnavant

Creates the Behavioral Health Hospital Authority (the Authority) as an independent political subdivision of the Commonwealth, to control the delivery, financing, utilization, and health outcomes of public acute inpatient psychiatric services in the Commonwealth, and transfers responsibility for the Commonwealth's state hospitals for individuals with mental illness from the Department of Behavioral Health and Developmental Services to the Authority.

Insurance

PASSED

HB 225, SB 321 Health insurance; definition of autism spectrum disorder.

Chief House patron: Coyner

Chief Senate patron: Vogel

Provides that for the purposes of required health insurance coverage for the diagnosis and treatment of autism spectrum disorder, "autism spectrum disorder" means any pervasive developmental disorder or autism spectrum disorder, as defined in the most recent edition or

the most recent edition at the time of diagnosis of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association and "medically necessary" means in accordance with the generally accepted standards of mental disorder or condition care and clinically appropriate in terms of type, frequency, site, and duration, based upon evidence and reasonably expected to do any of the following: (i) prevent the onset of an illness, condition, injury, or disability; (ii) reduce or ameliorate the physical, mental, or developmental effects of an illness, condition, injury, or disability; or (iii) assist to achieve or maintain maximum functional capacity in performing daily activities, taking into account both the functional capacity of the individual and the functional capacities that are appropriate for individuals of the same age.

SB 434 Health insurance; coverage for mental health and substance use disorders, report.

Chief patron: Barker

Requires the State Corporation Commission's Bureau of Insurance, in its report regarding denied claims, complaints, appeals, and network adequacy involving mental health and substance abuse disorder coverage, to include a summary of certain comparative analyses from health carriers related to mental health parity and an explanation of whether the analyses were considered compliant and any corrective actions required of the health carrier by the Bureau. The bill also changes the annual deadline for such report from September 1 to November 1.

Other bills of interest

PASSED

HB 277, SB 622 Recovery residences; disclosure to potential residents that residence is certified.

Chief House patron: Coyner

Chief Senate patron: Favola

Requires that all recovery residences be certified by the Department of Behavioral Health and Developmental Services (the Department) and that recovery residences, as a condition of such certification, comply with any minimum square footage requirements related to beds and sleeping rooms established by the credentialing entity, which shall be no less than the square footage requirements set forth in the Uniform Statewide Building Code. The bill requires every person who operates a recovery residence to disclose to potential residents whether the

recovery residence is certified and if so, which is the credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the bill requires the recovery residence to disclose the level of support provided by the recovery residence and, if the credentialing entity is Oxford House, Inc., the bill requires the recovery residence to disclose that the recovery residence is self-governed and unstaffed. The bill also requires the Department to include such information on the list of all recovery residences maintained by the Department on its website. The bill exempts recovery residences from the provisions of the Virginia Landlord and Tenant Act.

HB 659 Investigation of death; studying cases when person dies while receiving services from licensed prog.

Chief patron: Hope

Directs the Department of Behavioral Health and Developmental Services (the Department) to establish a work group to study and make recommendations regarding appropriate investigations, including recommendations regarding when autopsies may be appropriate, of the deaths of individuals with intellectual or developmental disabilities who are residents of the Commonwealth and who die while receiving services from a program licensed by the Department. The bill requires the work group to report its findings and recommendations to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2022.

HB 663 Mandatory outpatient treatment; reorganizes and clarifies provisions governing.

Chief patron: Hope

Reorganizes and clarifies provisions governing mandatory outpatient treatment. The bill also eliminates provisions allowing for a single order for a period of involuntary inpatient treatment followed by a period of mandatory outpatient treatment and instead requires entry of separate orders for involuntary inpatient and mandatory outpatient treatment in all cases. The bill has a delayed effective date of October 1, 2022.

HB 679, SB 300 Opioids; providers of treatment for addiction, conditions for initial licensure, location.

Chief House patron: Hope

Chief Senate patron: Deeds

Eliminates the requirement that a provider of treatment for persons with opiate addiction through the use of (i) methadone or (ii) opioid replacements other than opioid replacements approved for the treatment of opioid addiction by the U.S. Food and Drug Administration be located more than one-half mile from a public or private licensed day care center or a public or private K-12 school. This bill has a delayed effective date of January 1, 2023.

SB 408 Sentencing documents; transmission to the DHP and DBHDS.

Chief patron: Dunnavant

Provides that after the pronouncement of sentence, if the court is aware that the defendant is registered, certified, or licensed by a health regulatory board or holds a multistate licensure privilege, or is licensed by the Department of Behavioral Health and Developmental Services, and the defendant has been convicted of a felony, crime involving moral turpitude, or crime that occurred during the course of practice for which such practitioner or person is licensed, the court shall order the clerk of the court to transmit certified copies of sentencing documents to the Director of the Department of Health Professions or to the Commissioner of Behavioral Health and Developmental Services.

SB 577 Children's residential facilities; criminal history background checks.

Chief patron: Mason

Allows a person who is required to undergo a background check as a condition of employment at a children's residential facility to be employed by the children's residential facility pending the results of the check of the central registry of child abuse and neglect records maintained by the Department of Social Services, provided that (i) the person has received qualifying results on the fingerprint-based criminal history background check, (ii) the person does not work in the children's residential facility or any other location where children placed in such facility are present, and (iii) such employment is permitted under federal law and regulations. This bill incorporates SB 728.

FAILED

HB 134 Involuntary commitment; release of person before expiration of order.

Chief patron: Cherry

Provides that no person who is the subject of an order for involuntary commitment shall be released from a state hospital or licensed hospital and that no community services board shall petition for rescission of a mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment during the 96-hour period immediately following entry of the order, unless in the opinion of (i) the psychiatrist or clinical psychologist treating the person, based on an evaluation conducted by the psychiatrist or clinical psychologist, and (ii) a second psychiatrist or clinical psychologist who has evaluated the person, the person will not meet the criteria for involuntary commitment if released.

HB 624 Behavioral health safety net workforce needs; DBHDS to develop strategy to address, report.

Chief patron: Roem

Directs the Department of Behavioral Health and Developmental Services to establish a work group, which shall include representatives of the Department of Health Professions, the Virginia Association of Community Services Boards, the Virginia Area Health Education Centers Program and regional area health education centers, the Virginia Community College System, the State Council of Higher Education for Virginia, and other relevant stakeholders, to develop a strategy to address the behavioral health safety net workforce shortage in the Commonwealth. The bill directs the work group to report its findings and recommendations to the Governor and the General Assembly by November 1, 2022.

HB 651 Individuals w/ intellectual disabilities; DMAS to report on use of community intermediate care.

Chief patron: Kory

Directs the Department of Medical Assistance Services to report annually by December 1 of each year to the Governor and the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations and the House Committees on Health, Welfare and Institutions and Appropriations regarding utilization of community intermediate care facilities

for individuals with intellectual disabilities in the Commonwealth and to make such report available to the public on a website maintained by the Department.

HB 1172 Certified recovery residences; Bd. of BHDS to adopt regulations.

Chief patron: Adams, D.M.

Requires the Board of Behavioral Health and Developmental Services to adopt regulations requiring each certified recovery residence to include one or more resident or nonresident staff persons who are employed by the provider for compensation and who are responsible for oversight or management of the recovery residence.

HB 1232 Behavioral Health Commission; increases membership.

Chief patron: Robinson

Adds two nonlegislative citizen members who have received or are receiving services from the Commonwealth's behavioral health system, one nonlegislative citizen member who is a local law-enforcement officer serving a jurisdiction located in the Commonwealth, one nonlegislative citizen member who is a behavioral health services provider providing services in the Commonwealth, and one nonlegislative citizen member who is a certified peer recovery specialist or registered peer recovery specialist to the membership of the Behavioral Health Commission.

SB 429 DBHDS and VSP; development of mental health and public safety mobile applications.

Chief patron: Dunnivant

Requires the Department of Behavioral Health and Developmental Services (DBHDS) to develop or obtain a mental health mobile application for suicide prevention and the provision of educational materials related to suicide prevention. The bill requires the mobile application to provide a means to directly connect to the 988 Suicide Prevention Lifeline. The bill directs the Secretary of Health and Human Resources and the Secretary of Education to promote, market, and advertise the use of such application using existing resources. The bill also requires the Department of State Police to (i) develop or obtain a public safety mobile application to

enable individuals in the Commonwealth to furnish confidential tips to the Department of State Police through text, audio, images, or video concerning a suspected, anticipated, or completed criminal violation or a school-related safety concern and (ii) develop a referral system to ensure that such confidential tips are referred to the chief law-enforcement officer of the relevant jurisdiction for proper coordination of response and investigation. The bill directs the Secretary of Public Safety and Homeland Security to promote, market, and advertise the use of such application using existing resources. The provisions of the bill related to an application developed by DBHDS have a delayed effective date of July 1, 2023. The provisions of the bill are contingent on funding in a general appropriation act.

SB 641 Early Psychosis Intervention and Coordinated Specialty Care Program Advisory Board; established.

Chief patron: Morrissey

Establishes the Early Psychosis Intervention and Coordinated Specialty Care Program Advisory Board for the purpose of assisting the Department of Behavioral Health and Developmental Services in expanding the provision of high-quality, evidence-based early psychosis and mood disorder detection and intervention services.

SB 688 Determination of competency; report to Commissioner of Behavioral Health and Developmental Services.

Chief patron: Mason

Provides that a copy of the competency report shall be sent to the Commissioner of Behavioral Health and Developmental Services for the purpose of (i) conducting peer review and (ii) monitoring use of forensic assessments by the courts and their impact on the defendants and the public. Under current law, copies of such reports are sent to the Commissioner of Behavioral Health and Developmental Services for the purposes of establishing and maintaining the list of approved evaluators.

SB 714 Comprehensive crisis system; voluntary mental health check-in option as part of the system, report.

Chief patron: Deeds

Directs the Department of Behavioral Health and Developmental Services to implement a voluntary mental health check-in option as part of the comprehensive crisis system (988 Crisis Call Center). This option would allow crisis call center users to opt-in to be contacted by crisis counselors on a periodic basis as a "check in". DBHDS would report by November 1, 2022, to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Education and Health and Finance and Appropriations regarding its progress in implementing such program.
